



PUBLIC NOTICE

Federal Communications Commission
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COMMENT SOUGHT ON ALTERNATIVE RULEMAKING PROPOSAL REGARDING ISSUES RELATED TO INMATE CALLING SERVICES

CC Docket No. 96-128

COMMENTS DUE: April 2, 2007

REPLY COMMENTS DUE: April 17, 2007

By this Public Notice, we seek comment on the alternative rulemaking proposal submitted by Martha Wright, *et al.* (Petitioners) on March 1, 2007.¹ Specifically, Petitioners propose that benchmark rates for long distance prison inmate calling services be established as an alternative to the approach the Petitioners previously proposed in an earlier petition for rulemaking.² The Commission is currently examining long distance telephone service rates imposed on inmates and their families in an ongoing proceeding regarding the provision of inmate payphone service.³ The Alternative Proposal is responsive to the issues being examined in *Inmate Payphone Rulemaking* and raises important questions that should be addressed in that proceeding. Thus, we seek comment on this Alternative Proposal, as well as on the relative advantages and disadvantages of this Alternative Proposal as compared to the approach described in the Wright Petition.

Interested parties may file comments on or before **April 2, 2007**, and reply comments on or before **April 17, 2007**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.⁴

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://Nwww.fcc.gov/ecfs> or the Federal eRulemaking Portal:

¹ *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Petitioners' Alternative Rulemaking Proposal, CC Docket No. 96-128 (filed Mar. 1, 2007) (Alternative Proposal).

² Alternative Proposal at 1. See also *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Petition for Rulemaking or, in the Alternative, Petition to Address Referral Issues in Pending Rulemaking, CC Docket No. 96-128 (filed Nov. 3, 2003) (Wright Petition).

³ *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-128, Order on Remand and Notice of Proposed Rulemaking, 17 FCC Rcd 3248 (2002) (*Inmate Payphone Rulemaking*).

⁴ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-1 13, Report and Order, 13 FCC Rcd 11322 (1998).

<http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.

- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov. and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit **two** additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, **NE**, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed **of before** entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Parties should also send a copy of their filings to Lynne Hewitt Engledow, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-A361, 445 12th Street, SW, Washington, DC 20554, or by e-mail to Lynne.Engledow@fcc.gov. Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Documents in CC Docket No. 96-128 are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from BCPI. telephone (202) 488-5300. facsimile (202) 488-5563, TTY (202) 488-5562, e-mail fcc@bcpiweb.com. These documents may also

be viewed on the Commission's website at <http://www.fcc.gov/cgb/ecfs>

For further information, contact Lynne Hewitt Engledow of the Pricing Policy Division, Wireline Competition Bureau at **(202)**418-1520.

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